

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18 day of June, 1998

BEFORE

THE HON'BLE MR JUSTICE R V RAVEENDRAN

Writ Petition No 22224 of 1993

Between:

G Ravichandran
s/o Gurunath Naidu
Prop. Ravi Engineering Works
No 65, HMT Main Road
Bangalore-54

... PETITIONER

[By Sri Shanthakumar, Adv]

And:

1. Corporation of City of
Bangalore, Bangalore-2
by its Commissioner
2. The Medical Officer
of Health (Malleswaram)
Bangalore City Corporation
Bangalore
3. The Health Officer
Office of the Corporation
Bangalore City Corporation
Bangalore-2
4. Robert Babu
UDC, Command State Department
Headquarters Training Centre
Hebbal, Bangalore-6

... RESPONDENTS

[Sri K N Puttegowda, Adv for R-1 to 3 and
Sri J T Rajan, Adv for R-4]

Writ Petition is filed praying to quash the order dated 22-5-1993 passed by respondent No 2 vide Annexure 'J' and etc.

This writ petition coming on for preliminary hearing in 'B' group, this day, the Court made the following:-

ORDER

The petitioner was running a workshop under the name and style Ravi Engineering Works, at No 65, HMT Main Road, Bangalore, carrying on his business in fabrication of steel items like grills, windows, compound gates, collapsible gates, rolling shutters etc. The petitioner had not obtained any licence from the Bangalore City Corporation for carrying on said business. The Health Officer of the Corporation issued a notice to the owner of the premises on 15-4-1993 stating it was found that the petitioner was running a workshop with 10HP unauthorisedly and called upon the owner of the premises to stop the same. There was no compliance. On the other hand, the petitioner, who is the tenant of the premises, sent a reply dated 15-5-1993 seeking six months time to leave the premises. Thereafter, the corporation has issued a closure notice dated 22-5-1993 [Annexure 'J'] under Section

Rmk

600

461(b), of the Karnataka Municipal Corporations Act, and directing closure of the trade on the ground that it was being run unauthorisedly. Feeling aggrieved, the petitioner has filed this petition and sought quashing of Annexure 'J' and a direction to the corporation to consider the petitioner's representation dated 15-5-1993 [Annexure 'H'] for grant of time.

2. This court on 12-7-1993 granted interim stay for a period of four weeks. Thereafter stay was not continued.

3. Admittedly neither the owner nor the petitioner has obtained any permission or licence for running the workshop. Therefore, the corporation was justified in issuing closure order. In fact what petitioner required was some time to shift the workshop. *That time has long expired.* He is not entitled to the relief sought. Therefore, the petition is dismissed.

*pjk



Sd/-
JUDGE